

REMARKS

In the Office Action mailed May 28, 2008, claims 34-81 were pending with claims 34-81 being rejected. Claims 34-81 are presently cancelled and replaced by Claims 82-129. Based on the claim amendments outlined above, and the comments below, Applicant submits that newly presented claims 82-129 are allowable.

Objections to the Specification

The abstract of the disclosure was objected to because it exceeded the maximum allowable length of 150 words. Additionally, the specification was objected to because it did not contain section headings as required by 37 C.F.R. §1.77(c). Applicant has attached a substitute specification to this response, and submits that the substitute specification includes no new matter. Applicant requests entry of the substitute specification and withdrawal of the objections.

Claim Rejections Under 35 U.S.C. § 102

Claims 34-42, 45-50, 52-55, 58, 59, 62-70, 75, 76 and 79 were rejected under 35 U.S.C. 102(b) as being anticipated by Burke (U.S. Patent No. 6,304,855). Further, Claims 71-74, 77, 78, 80 and 81 were rejected under 35 U.S.C. 102(b) as being anticipated by Kerret (International Publication No. WO01/69364).

In response, Applicant has presented numerous amendments to the pending claims, and has presented these amendments to the pending claims within new claims 82-129. Specifically, independent claim 82, 100, 128, and 129 recite the step of "manipulating, at the receiver device in use, said one or more images of the object without the need for a feedback path to the mobile telephone system." Further, the manipulating step within dependent claims 96, 97, 114, 115, and 117 now details additional steps of the manipulation of images, including "accepted, displayed, moved and allowed as equivalent entities, in said receiver device, irrespective of what that image might be." Each of these recited features related to manipulation is not taught in whole by either the Burke or Kerret references.

Additionally, dependent claims 92-94 and 109 also detail that the displaying step (and displaying means) includes "substituting said second image for said first image; increasing the size of said second image; and causing said second image to obscure any image which it overlaps and which is still in the background." This feature is not taught in whole by either the Burke or Kerret references.

Applicant respectfully submits that the cited references fail to teach each and every feature of the amended claims as required by MPEP §2131. As a result, the §102 rejection is unsupported by the art and should be withdrawn.

Claim Rejections Under 35 U.S.C. § 103

Claims 43, 44, 56 and 57 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Burke (U.S. Patent No. 6,304,855) in view of obvious variations to the Burke teachings. As explained above for the §102 rejection, Applicant respectfully submits that the presently amended claims include limitations that are not taught or suggested by the cited references. Therefore, because numerous differences exist between the claimed invention and the cited prior art, a prima facie case of obviousness has not been established for the claims under §103(a), and the claimed invention would not be rendered obvious to one of ordinary skill in the art. Applicant respectfully requests withdrawal of the rejection under §103 for all pending claims.

CONCLUSION

Applicant respectfully requests withdrawal of the pending rejections and allowance of the presently submitted claims. In the event a telephone conversation would expedite the prosecution of this application, the Examiner may reach the undersigned at 612-607-7345. If any fees are due in connection with the filing of this paper, then the Commissioner is authorized to charge such fees including fees for any extension of time, to Deposit Account No. 50-1901 (Reference No. 22557-3007).

Respectfully submitted,

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